

**QUESTIONS SUBMITTED BY POTENTIAL OFFERORS AND EPA'S RESPONSES**

**1) Who is the current incumbent contractor?**

We do not currently have a contract for this requirement.

**2) How long has this contractor been providing support to OERR on this contract?**

See No. 1 above.

**3) Will there be a presolicitation meeting for interested bidders? If so, where and when?**

We will not hold a presolicitation meeting.

**4) What is OERRs timeline for releasing the solicitation and receiving proposals?**

A draft solicitation is currently posted on the web. No proposals will be accepted in response to the draft RFP. The final solicitation will be posted November 22, 2002. Proposals must be received in the bid and proposal room specified in the solicitation by December 22, 2002 at 3:00 PM Eastern Standard Time.

**5) Will the implementation of developed regulations involve on-site visits to oil storage and production facilities?**

During the life of the contract, individual Work Assignments will determine whether or not on-site visits to oil storage and production facilities are necessary.

**6) The draft RFP, Section I.8 addresses Government Property. I did not see if the Government is planning to provide office space or other GFP to the contractor. Is EPA planning to provide GFP? Is there a list of the equipment or property to be provided?**

The Government does not intend to provide Government Furnished Property under this solicitation.

**7) I want to voice a concern about the recommended goals contained in paragraph (8) on page L-9 of 22, used in conjunction with the size standard of \$5M. The use of an overall 50% goal for small business concerns precludes small to medium size firms like ours from teaming with the most qualified firms to meet the solicitation requirements, and makes the solicitation more attractive to a very large firm that can perform essentially all of the work in-house, with little no subcontracting. The approach is, in the end, detrimental to the real goal of increasing small business participation. It would be much more fair, and beneficial to small businesses, to make the goal dollar based instead of as a percentage of total subcontracting. Please consider changing this requirement to allow smaller firms like ours to respond.**

We have no provision under the law to provide relief. Goals are established by Congress.

8) Will there be a COI problem since we are a START contractor?

The COI has no relationship to START contracts.

9) I am contacting you to inquire whether there is an incumbent for the above subject solicitation (PR-HQ-02-10855). If so, could you please provide a contract number or company name? I have been unable to locate this contract title in OAM's active contracts database as an existing contract.

We do not currently have a contract for this requirement.

10) Re. L.10: Please clarify the structure of the oral presentation and interactive dialogue. Specifically, is the offeror expected to first make a presentation followed by an interactive dialogue, or is the interactive dialogue inclusive of the 90 minute oral presentation?

The interactive dialogue is exclusive of and will occur after the 90 minute oral presentation

11) The language of clause H.4 para. (c), Limitation of Future Contracting, is very broad. Would EPA consider a revision to the language of para. H.4.(c) to restrict the need for prior approval to contracts having to do with performance of commercial support activities directly related to the Oil Pollution regulations implemented by the OERR Oil Program? The proposed revision would read similar to the following:

"Unless prior written approval is obtained from the cognizant EPA Contracting Officer, the Contractor, during the life of this contract, agrees not to perform any commercial support activities (including contracts, subcontracts, or representation) directly related to the Oil Pollution regulations implemented by the OERR Oil Program for any party, other than EPA, that owns, operates, or has a significant financial interest in the oil industry."

There is no change to the language of clause H.4 para. (c), Limitation of Future Contracting. The proposed language is unacceptable because: 1) the responsibility for determining whether the commercial support activities were directly related to the Oil Pollution regulations would have shifted from the contracting officer to the contractor; and, 2) it would not address the actual or perceived loss of contractor objectivity due to the magnitude of the financial relationship.

12) Would EPA grant an extension to the due date for this proposal to be 30 days (or less if necessary) after clarification of contractor's questions is posted, in order to enable sufficient time for offeror's proposals to be completed?

No.

13) Re. L.9(8) and L.17: L.9.(8), Subcontrating Plan, indicates that the goals for SDBs, WOSB, HUBZone SB, and VOSB count toward the overall 50% goal for SB Concerns. L.17 indicates these goals are mutually exclusive of each other. Please clarify.

The goals for: Small Disadvantaged Business Concerns 20%; Women Owned Small Business Concerns 6%; HUBZone Small Businesses 3%;and, Service Disabled Veteran Owned Small Businesses 3%, and subsets of and inclusive to the Small Business Concerns 50% goal.

14) Re. M.4, Determination of Responsibility: para. a. indicates the "Procedures for Handling Confidential Business Information (CBI)" will be one of three plans on which the CO will perform a determination of responsibility. Should this reference be the "Conflict of Interest Plan" instead?

No, these are two separate plans. Provision M.4, paragraph B, refers to the COI Plan. During contract performance the contractor may handle information that is extremely sensitive commercial business information that the owner wants protected. The contractor's "Procedures for Handling Confidential Business Information (CBI)" details the procedures that will be employed by the contractor to protect such information.

15) I want to confirm that Amendment #0001 to the above-mentioned RFP now requires one original and seven copies of the Contract Management Plan. The reason for the uncertainty is that the Contract Management Plan appears in the list of other plans in section L.9(a). The amendment mentions that these other plans are exceptions to the new number of copies.

Yes, provide one original and seven copies of the Contract Management Plan.